



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# NOTICE OF PUBLIC HEARING Minor Variance

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You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

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**APPLICATION NO.:** HM/A-22:11

**APPLICANTS:** Agent Suite Additions - Andry Tran  
Owners R. & P. Taylor

**SUBJECT PROPERTY:** Municipal address **77 West 4<sup>th</sup> St., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended 21-076 & 21-167

**ZONING:** "C" (Urban Protected Residential and etc.) district

**PROPOSAL:** To permit the construction a Secondary Dwelling Unit - Detached on the same lot as an existing Single Family Dwelling containing a Secondary Dwelling Unit notwithstanding that:

1. A minimum distance of 6.1m shall be provided between the rear facade of principal dwelling and Secondary Dwelling Unit – Detached instead of the requirement that a minimum distance of 7.5 metres shall be required between the rear facade of principal dwelling and Secondary Dwelling Unit – Detached.
2. Eaves and gutters for the Secondary Dwelling Unit – Detached shall be permitted to encroach into an required yard to a maximum of 0.55m instead of the requirement that an eave or gutter of a Secondary Dwelling Unit - Detached may encroach into any required yard to a maximum of 0.45m.

This application will be heard by the Committee as shown below:

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**DATE:** Thursday, April 28th, 2022  
**TIME:** 1:50 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### PUBLIC INPUT

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

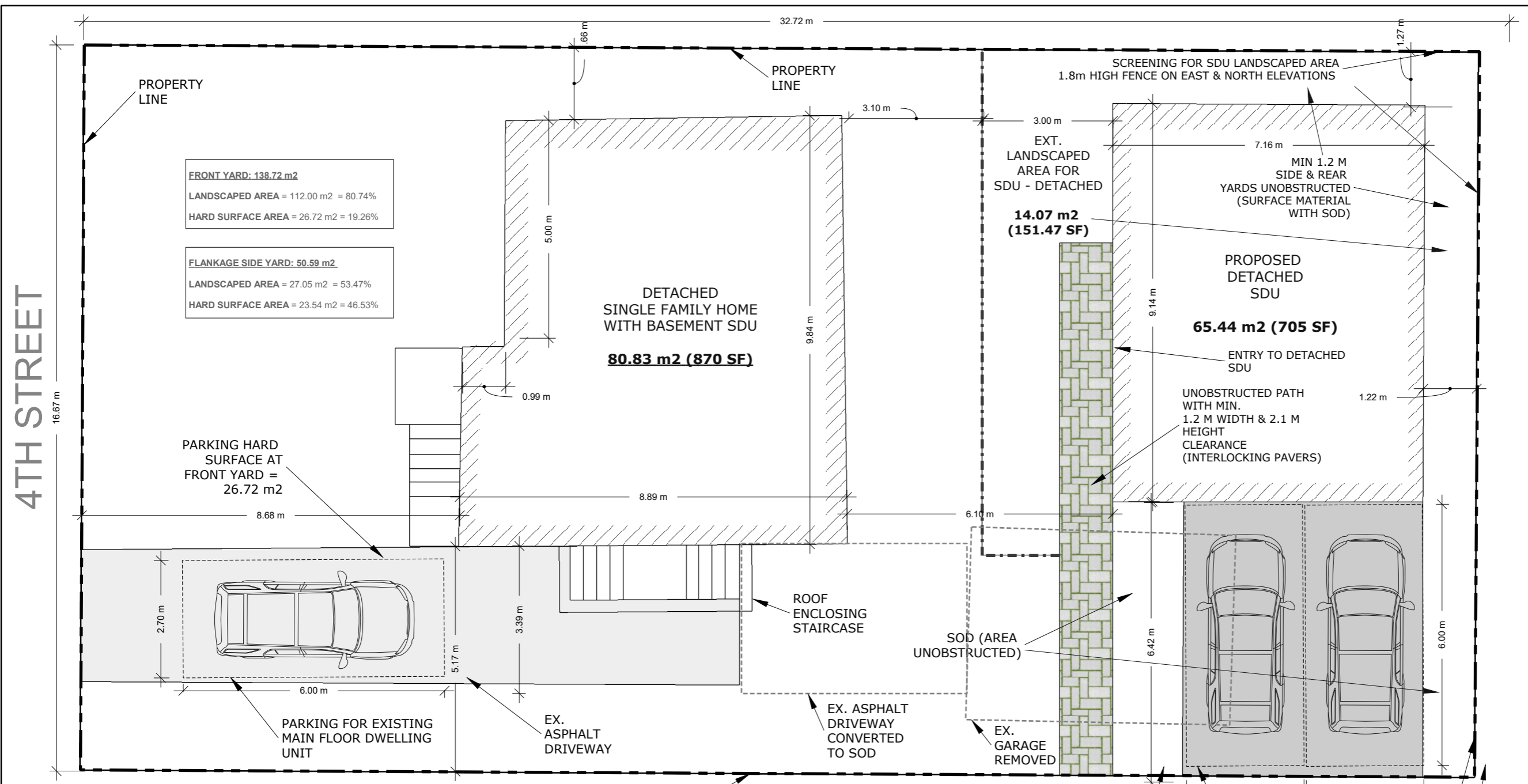
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: April 12th, 2022.

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***



**REQUIRED DETACHED SDU REGULATIONS**

ITEM	REQUIRED	EXISTING	PROPOSED	VARIANCE REQUIRED
LANDSCAPED AREA	12.0 m <sup>2</sup>	N/A	27.04 m <sup>2</sup>	NO
INTERIOR SIDE YARD	1.2 m	N/A	1.27 m	NO
REAR YARD	1.2 m	N/A	1.23 m	NO
MAXIMUM HEIGHT	6.0 m	N/A	6.0 m	NO
BEDROOMS	MAX 2	N/A	2	NO
GROSS FLOOR AREA	MAX 75 m <sup>2</sup>	N/A	65.5 m <sup>2</sup>	NO
DIST. FROM HOUSE	MIN 7.5 m	N/A	6.1 m	YES
MAX LOT COVERAGE	MAX 25%	N/A	20.7%	NO
PARKING	SEE SITE PLAN			NO

**1. Residential Uses**  
 (n) Secondary Dwelling Unit  
 Secondary Dwelling Unit  
 - Detached

1 space per unit

That Subsection 18(A).(1)(a)(i) Table 1 – Minimum Required Parking for Residential, Institutional, Public and Commercial Uses of SECTION 18A: PARKING AND LOADING REQUIREMENTS be amended by adding the following new clause:

**BUILDING CODE COMPLIANCE NOTE:**  
 THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE OBC AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS

**SUITE ADDITIONS INC.**  
 3-2375 Brimley Rd, Suite 807  
 Toronto, ON, M1S 3L6  
 Tel: 416-525-2628  
 Email: info@suiteadditions.com

Contractor must verify all dimensions and be responsible for reporting any discrepancies to Suite Additions Inc. before commencing with work. The drawing is an instrument of service and shall remain the property of Suite Additions Inc., the copyright of this drawing and work executed from the same being reserved. Do not scale drawings.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer

*Andy Tran*  
 Andy Tran - Signature  
 Individual BCIN: 102774  
 Firm: Suite Additions Inc.  
 Firm BCIN: 102497

**PROJECT:**  
 SECONDARY DWELLING UNIT  
 - DETACHED

**ADDRESS:**  
 77 WEST 4TH STREET, HAMILTON,  
 ON, L9C 3M6

**CLIENT:** REMAL TAILOR/POONAM TAILOR

**DRAWN BY:** ANDY TRAN

**ISSUE DATE:** SEP 20, 2021  
**RE-ISSUE DATE:** APR 7, 2022

**DESCRIPTION:**  
 SITE PLAN, SITE STATISTICS  
 AND DRAWING LIST

**SCALE:** 1:100

**DRAWING NO:**  
**SP1.01**

**EXISTING STRUCTURE NOTE:**  
 OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO SUITE ADDITIONS INC. PRIOR TO ANY WORK. OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK



**SITE PLAN**

SCALE: 1:100

4TH STREET

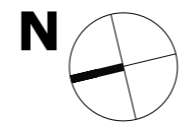
SOUTH BEND RD W

**PLANS LEGEND**

BATH	ROOM NAME	C.H. 7'-0"	CEILING HEIGHT
E.F.	EXHAUST FAN	SC	STRUCTURAL COLUMN
2	SPECIFICATION TAG (SEE P. A6)	SB	STRUCTURAL BEAM OR WALL
SA	SMOKE ALARM	PS	PLUMBING STACK
CMA	CARBON MONOXIDE ALARM	WM	WATER METER
F.D.	FLOOR DRAIN		

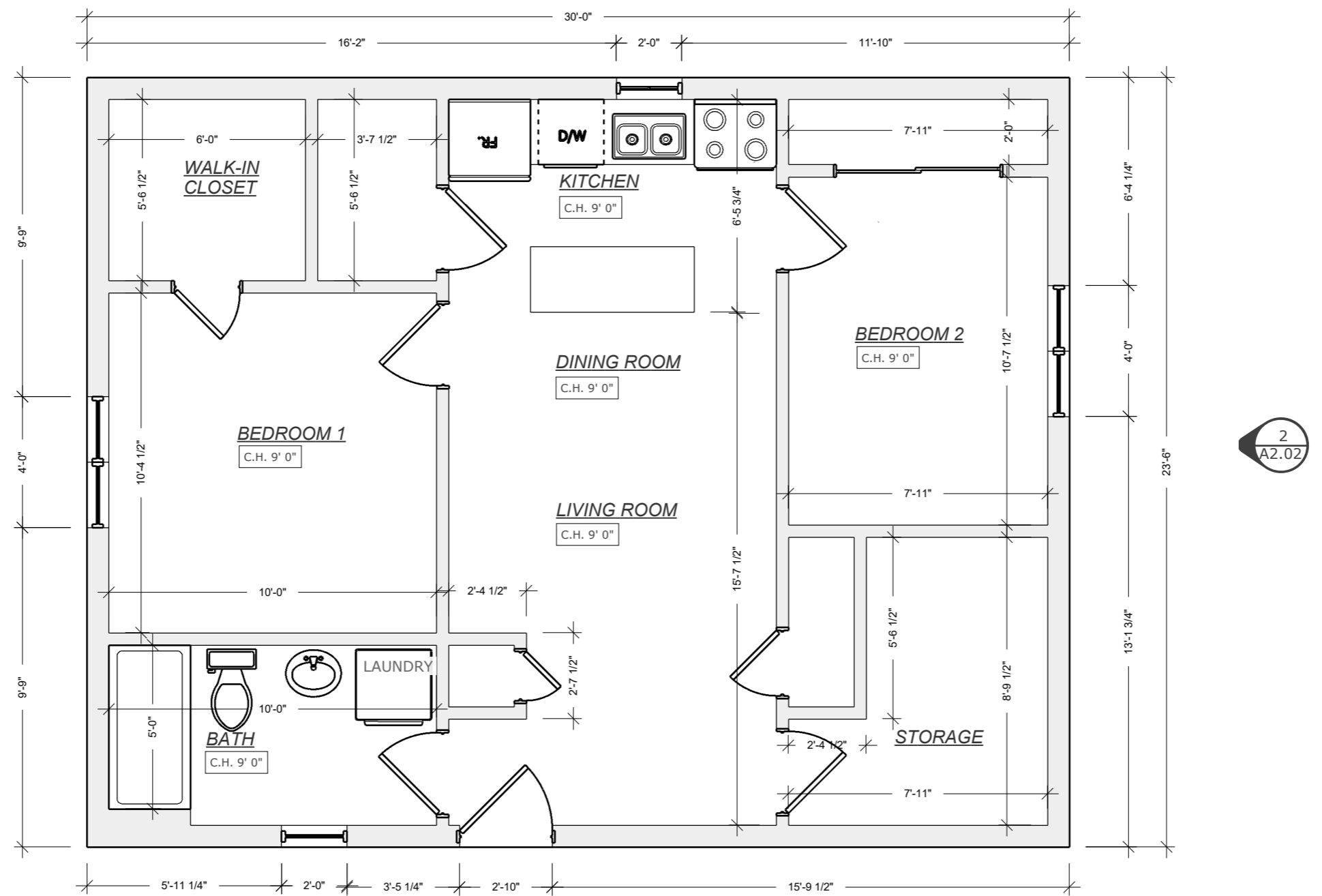
**WALL SCHEDULE (SEE A1.06)**

	FOUNDATION WALL	- NOT TO BE REMOVED
	WALLS TO BE REMOVED	- ANY STRUCTURAL WALLS TO BE CONFIRMED BY CONTRACTOR BEFORE REMOVAL
	EXISTING WALLS TO REMAIN	- 2 x 4 STUD WALLS TO REMAIN - MAY BE FINISHED WITH NEW GYPSUM BOARD
	NEW INTERIOR WALLS	- STUD WALLS - SEE DRAWING FOR ASSEMBLY DETAILS
	NEW EXTERIOR WALLS (203)	- 2x4 STUD WALLS @ 16" O.C. 2" AWAY FROM WALL W/ 400 INSULATION AND 6 MIL AIR/VAPOR BARRIER - 1/2" REGULAR GYPSUM BOARD



**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"



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 3-2375 Brimley Rd, Suite 807  
 Toronto, ON, M1S 3L6  
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 Firm BCIN: 102497

**PROJECT:**  
 SECONDARY DWELLING UNIT  
 - DETACHED

**ADDRESS:**  
 77 WEST 4TH STREET, HAMILTON,  
 ON, L9C 3M6

**CLIENT:** REMAL TAILOR/POONAM TAILOR

**DRAWN BY:** ANDY TRAN

**ISSUE DATE:** JAN 25, 2022  
**RE-ISSUE DATE:** MAR 10, 2022

**DESCRIPTION:**  
 MAIN FLOOR PLAN

**SCALE:** 1/4" = 1'-0"

**DRAWING NO:**

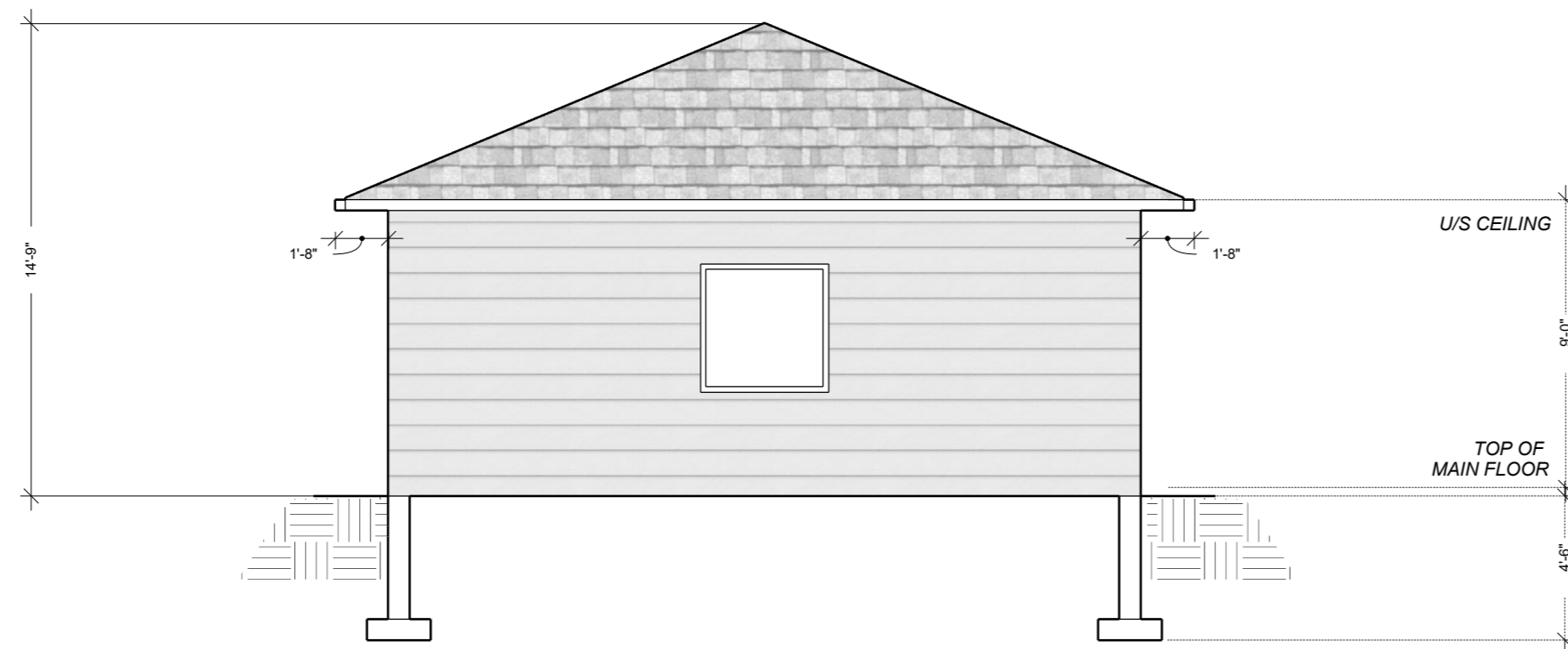
**A1.01**



**WEST ELEVATION (FRONT)**

SCALE: 1/4"=1'-0"

1  
A2.01

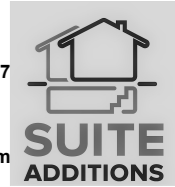


**NORTH ELEVATION (SIDE)**

SCALE: 1/4"=1'-0"

2  
A2.01

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Firm BCIN: 102497

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- DETACHED

**ADDRESS:**  
77 WEST 4TH STREET, HAMILTON,  
ON, L9C 3M6

**CLIENT:** REMAL TAILOR/POONAM  
TAILOR

**DRAWN BY:** ANDY TRAN

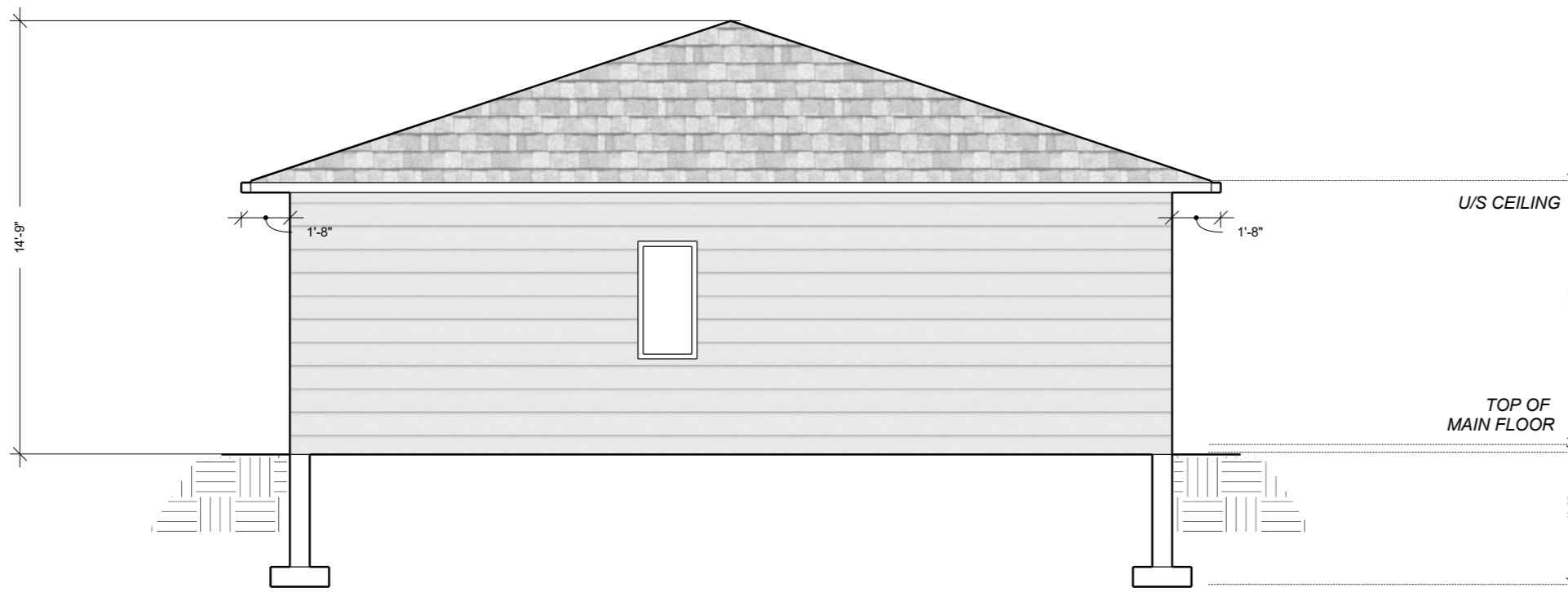
**ISSUE DATE:** JAN 25, 2022  
**RE-ISSUE DATE:** MAR 10, 2022

**DESCRIPTION:**  
WEST & NORTH ELEVATION

**SCALE:** 3/16" = 1'-0"

**DRAWING NO:**

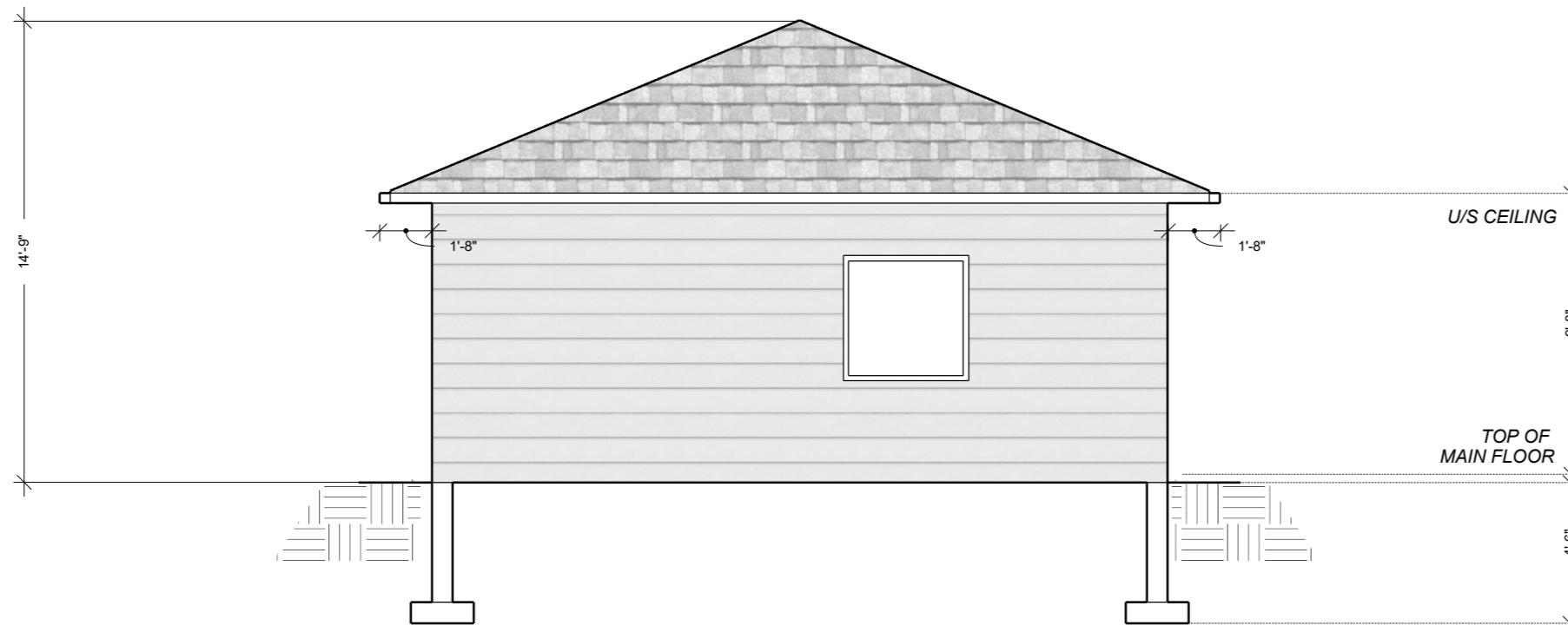
**A2.01**



**EAST ELEVATION (REAR)**

SCALE: 1/4"=1'-0"

1  
A2.02



**SOUTH ELEVATION (SIDE)**

SCALE: 1/4"=1'-0"

2  
A2.02

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Firm BCIN: 102497

**PROJECT:**  
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- DETACHED

**ADDRESS:**  
77 WEST 4TH STREET, HAMILTON,  
ON, L9C 3M6

**CLIENT:** REMAL TAILOR/POONAM  
TAILOR

**DRAWN BY:** ANDY TRAN

**ISSUE DATE:** JAN 25, 2022  
**RE-ISSUE DATE:** MAR 10, 2022

**DESCRIPTION:**  
EAST AND SOUTH ELEVATION

**SCALE:** 3/16" = 1'-0"

**DRAWING NO:**

**A2.02**



Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE**

**FOR OFFICE USE ONLY.**

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_

**The Planning Act**

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1, 2

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

**Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled**

4. Nature and extent of relief applied for:

- 19.(1).1.(ii) 9 - Reduce minimum distance of 7.5m to 5.4m from principal dwelling
- 18(A)(14c)(ii) - Area for side yard landscaping to decrease from 50% to 30.5%
- 18(A) Table 6 - 6.0m rear manoeuvring for 2 SDU parking spaces to be off-site

Secondary Dwelling Unit       Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?

- 19.(1).1.(ii) 9 - Insufficient yard depth to construct 75m2 detached SDU
- 18(A)(14c)(ii) - Side yard required for additional parking needed for 2 SDUs
- 18(A) Table 6 - Unable to utilize rear yard for parking in addition to detached SDU

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):

LT 283, PL 540; HAMILTON - 77 WEST 4TH STREET, HAMILTON

7. PREVIOUS USE OF PROPERTY

Residential       Industrial       Commercial   
 Agricultural       Vacant       Other

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use \_\_\_\_\_

8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes       No       Unknown

8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes       No       Unknown

8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes       No       Unknown

8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes       No       Unknown

8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes       No       Unknown

8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes       No       Unknown

8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes       No       Unknown

8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes       No       Unknown



8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
Yes  No  Unknown

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

PROPERTY HAS BEEN HERE SINCE THIS SUBDIVISION WAS CONSTRUCTED

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes  No

**9. ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

DEC 23 / 21  
Date

*Remal Poonam*  
Signature Property Owner(s)

REMAL + POONAM TAILOR  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	15.24 METERS
Depth	32 METERS
Area	487.7 METERS
Width of street	UNKNOWN

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:\_  
GROUND FLOOR AREA = 80.83 m<sup>2</sup>  
GROSS FLOOR AREA = 161.66 m<sup>2</sup>  
ONE STOREY = 11.77 m WIDE, 10.55 m DEEP, 3 m HIGH

Proposed  
DETACHED SDU:  
GROUND FLOOR AREA = 74.32 m<sup>2</sup>  
GROSS FLOOR AREA = 74.32 m<sup>2</sup>  
ONE STOREY = 9.14 m WIDE, 11.7 m DEEP, 6 m HIGH

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:  
(W) FRONT SETBACK - 6.81 m  
(N) SIDE SETBACK - 1.22 m  
(E) REAR SETBACK - 16.4 m  
(S) SIDE SETBACK - 4.22 m

Proposed:  
DETACHED SDU:(W) FRONT SETBACK - 5.4 m  
(N) SIDE SETBACK - 1.27 m  
(E) REAR SETBACK - 1.22 m  
(S) SIDE SETBACK - 6.37 m

13. Date of acquisition of subject lands:  
MAY 18, 2021
- 
14. Date of construction of all buildings and structures on subject lands:  
APPROXIMATELY 1950
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
SINGLE FAMILY WITH BASEMENT SDU
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
SINGLE FAMILY
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input checked="" type="checkbox"/> |           |                                     |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
NEIGHBOURHOODS
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
C - URBAN PROTECTED RESIDENTIAL
21. Has the owner previously applied for relief in respect of the subject property?  
Yes  No   
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
Yes  No
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.